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Message Text

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60
ACTION EB-11

INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 AGR-20 CEA-02

CIAE-00 COME-00 DODE-00 FRB-02 H-03 INR-10 INT-08

L-03 LAB-06 NSAE-00 NSC-07 PA-04 RSC-01 AID-20

CIEP-02 SS-20 STR-08 TAR-02 TRSE-00 USIA-15 PRS-01

SP-03 OMB-01 SWF-02 FEA-02 OIC-04 AF-10 ARA-16 NEA-14

DRC-01 /249 W
---------- 129268
R 121650Z JUN 74
FM USMISSION GENEVA
TO SECSTATE WASHDC 6424
INFO USMISSION EC BRUSSELS
AMEMBASSY TOKYO

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E.O. 11652: N/A
TAGS: GATT, ETRD, EEC
SUBJECT: GATT WP ON EC ENLARGEMENT (ARTICLE 24:5)

1. JAPANESE MISSION HAS ASKED OUR VIEWS ON HOW SUBJECT WORKING PARTY SHOULD BE WOUND UP FOLLOWING CONCLUSION OF 24:6 NEGOTIATIONS. THEIR CONCERN STEMS FROM ROLE OF AMBASSADOR KITAHARA AS CHAIRMAN OF WP AND KITAHARA'S DESIRE TO COMPLETE TASK OF WP UNDER TERMS OF REFERENCE.

2. TERMS OF REFERENCE OF WP, L/3684, 10 MARCH 1972, ARE SIMPLE: TO EXAMINE ENLARGEMENT AGREEMENTS IN LIGHT OF GATT AND REPORT TO CPS, WP, WHICH HALD EIGHT MEETINGS IN 1972 AND LAST MET 6-7 FEBRUARY 1973, BOGGED DOWN OVER DIFFERENCES BETWEEN EC AND OTHERS AS TO HOW 24:5 APPRAISAL COULD BE MADE AND ADJOUNRED AT LAST MEETING WITHOUT AGREEMENT AS TO HOW IT WOULD RESUME OR COMPLETE ITS TASK. INFORMAL UNDERSTANDNG OUTSIDE WP
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WAS THAT FURTHER 24:5 WORK, AT LEAST FOR THE TIME, WOULD BE

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FRUITLESS; 24:6 NEGOTIATIONS SHOULD PROCEED (OUTSIDE WP), AND WP COULD RESUME CONSIDERATION UNDER 24:5 WHEN IT IS TIMELY TO DO SO.

3. MIZOGUCHI SAYS HE HAS NO PARTICULA IDEAS AS TO HOW WP SHOULD PROCEED; HIS MAIN CONCERN IS FOR SOME ORDERLY COMPLETION OF PROCEDURE. HE WAS INCLINED TO AGREE WITH OUR COMMENTS THAT WE CANNOT EXPECT TO AGREE WITH EC ON 24:5 EVALUATION AND THAT IT WOULD BE BEST TO AWAIT COMPLETION OF 24:6 ACTIONS BEFORE RAISING SUBJECT. WE DO NOT RECALL ANY OTHER CONVERSATIONS ON THIS SUBJECT IN GENEVA SINCE FEBRUARY 1973, AT LEAST NONE THAT SEEM SIGNIFICANT NOW.

4. IF WASHINGTON AGREES WE WOULD LIKE TO EXPLORE QUESTION FURTHER WITH JAPAN AND PERHAPS CANADA, AUSTRALIA AND NZ, AND IN ORDER TO DO SO WOULD APPRECIATE GUIDANCE ON U.S. VIEWS. WE ASSUME U.S. AND OTHERS WOULD NOT WISH TO GIVE BLESSING TO AGREEMENTS AS COMPLYING WITH GATT, PARTICULARLY WITH GRAIN RIGHTS UNSETTLED, AND THAT EC COULD NOT ACCEPT THE OPPOSITE. IN CIRCUMSTANCES WE SEE NOTHING TO BE GAINED BY RESUMPTION OF DEBATE ON HOW TO EVALUATE ARRANGEMENTS IN TERMS OF 24:5A AND OUR TENTATIVE VIEW THEREFORE IS THAT WP SHOULD MEET AGAIN (AFTER COMPLETION OF WHATEVER IS NECESSARY ON 24:6) ONLY TO AGREE ON ITS REPORT. REPORT MIGHT SIMPLY INFORM COUNCIL OF WP PROCEEDINGS BY REFERENCE TO CHAIRMAN'S NOTES ON EARLIER MEETINGS, ACKNOWLEDGE THAT WP WAS UNABLE TO REACH CONCLUSIONS ON LEGAL QUESTIONS INVOLVED, TAKE NOTE OF 24:6 ACTIONS THAT HAVE TAKEN PLACE, AND RECOMMEND THAT ENLARTEMENT AGREEMENTS (LIKE OTHER AGREEMENTS REPORTED UNDER ARTICLE 24) BE SUBJECT TO PERIODIC REPORTS. COUNCIL COULD THEN EITHER EXPLICITLY OR TACITLY AGREE TO LET MATTER REST.DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEMBERSHIP, COMMITTEE MEETINGS, TARIFF NEGOTIATIONS, ARTICLE XXIV 5
Control Number: n/a
Copy: SINGLE
Draft Date: 12 JUN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974GENEVA03747
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740152-0218
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740653/aaaabtkv.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 02 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 APR 2002 by izenbei0>; APPROVED <17 JUN 2002 by golinofr>
Review Markings:

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30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GATT WP ON EC ENLARGEMENT (ARTICLE 24:5)
TAGS: ETRD, JA, GATT, EEC
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

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